

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

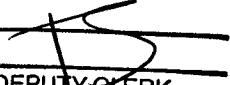
CHARLES D. JURBALA, :
Plaintiff :
: CIVIL NO. 3:12-CV-1092
v. :
: (JUDGE NEALON)
WARDEN RONNIE HOLT, ET AL., : (MAGISTRATE JUDGE CARLSON)
Defendants :
:

ORDER

FILED
SCRANTON

NOW, THIS 30th DAY OF JANUARY, 2013, for the reasons set forth in the JAN 30 2013

Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

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1. The Report and Recommendation, (Doc. 6), is **ADOPTED**;
2. The FTCA claims in the complaint, (Doc. 1), are **DISMISSED** with prejudice as to the individual Defendants;
3. Plaintiff **SHALL** file an amended complaint within twenty (20) days of the date of this Order naming any additional Defendants and claims;
4. Plaintiff's motion for leave to proceed in forma pauperis, (Doc. 3), is **GRANTED**;
5. This matter is **REMANDED** to Magistrate Judge Carlson for further proceedings; and
6. Any appeal will be deemed frivolous, without probable cause, and not taken in good faith.


United States District Judge